

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Brad R. Johnson,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.: 4:03-3857
vs.	)	
	)	
Sallie Mae Servicing, L.P; Christine	)	
Donnell; Mark E. Shure; Shelley M. Truner;	)	
A. Able; B. Baker; C. Charile,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

On December 8, 2003, Plaintiff Brad R. Johnson (“Johnson”) filed the instant action, *pro se*, in this Court. (Doc. #1). On July 20, 2004, this case was reassigned to United States District Judge R. Bryan Harwell. (Doc. #10). Subsequently, this case was reassigned back to this Court on January 31, 2005. On September 20, 2005, the Defendants filed the pending motion to dismiss asserting the instant action is barred by the principles of *res judicata*. (Doc. #31). Johnson responded to the pending motion on November 10, 2005. (Doc. #37). On June 21, 2006, United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned, issued a Report and Recommendation (“the Report”). (Doc. #41). In the Report, Magistrate Judge Rogers recommends that the Defendants’ motion to dismiss be denied. Id. Subsequently, on June 22, 2006, Johnson’s attorney made his official notice of appearance with this Court. (Doc. #43). No party to this action has filed objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept,

reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation and the memorandum of law submitted by the parties. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #41) and the Defendants' motion to dismiss is **DENIED**.

**IT IS SO ORDERED.**

S/ Terry L. Wooten

Terry L. Wooten  
United States District Judge

December 7, 2006  
Florence, South Carolina